IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1221 of 2006

Mohd. Khalid alias Guddu
Mukhtar Ahmed Shaikh, .. Petitioner.
Vs
Senior Inspector of Police
... and ors. .. Respondents

Mr Ganesh Gole, for the petitioner.
Mr S.V.More, APP for the respondent-State

CORAM : D.B.BHOSALE, J.

DATED : 18th July, 2006

P.C.:
1. Heard Mr.Gole, learned counsel for the petitioner and Mr More, learned APP for the respondents.

2. In this petition, the petitioner has made the following prayer:-

> "(c) That pending the hearing and final disposal of the appeal filed by the petitioner before the Appellate Authority and Principal Secretary (Appeal & Security), Home Department, Government of Maharashtra, the execution of the impugned order of externment dated 18.5.2006 passed by respondent no.3 may kindly be stayed and the petitioner be allowed to enter the jurisdiction of Thane District, Mumbai city, Mumbai Suburbs and Raigad District."

It appears that the petitioner has challenged the order of externment dated 18.5.2006 before respondent no.4 on 20.5.2006 and pending that appeal the instant petition has been filed for the aforestated prayer. Considering the prayer made by the petitioner and that

the statutory appeal is pending before the appellate authority, I am satisfied that the following order shall meet the ends of justice:

(i) The Appellatle Authority shall decide the appeal filed by the petitioner against the order of extenment dated 18.5.2006 as expeditiously as possible and preferably within a period of six weeks from the date of receipt of this order on merits in accordance with law.

(ii) Liberty to the petitioner to apply before the appellate authority seeking re-entry for a period of 15 days. If such an application is filed within one week from today, same may be considered on merits within two weeks therefrom.

(iii) With these observations, the writ petition stands disposed of.

(D.B.BHOSALE,J.)